

## Draft Lake Rotorua nitrogen rules: Consultation feedback and next steps

Tuesday 18 November 2014



## Where we are at

We are here



### Preparation

- Consultation

} Section 32

### Notification

- Submissions
- Further submissions

### Hearing of submissions

- Council's decisions on submissions

### Appeals on Council's decisions

- Environment Court decision

### Council approves

- Becomes operative



## Summary of responses

330 responses received

Most detailed responses received in last few days of consultation

Feedback report is being finalised – will be circulated

**Overall** - High level of engagement and overwhelming opposition to rules



## Key themes

- Science
- Social and economic impacts
- Managing small properties
- Timing / managed reduction / 2022 target
- Allocation
- Regulatory focus



## Science - what we heard

- Why are nitrogen reductions required when TLI already reached?
- Why can't alum dosing be a part of a longer term management solution?
- Could different combinations of nitrogen / phosphorous reductions achieve the TLI?

Also:

- Questions over the validity of Overseer
- Confidence in groundwater science
- How do we know what is currently coming off the land i.e. not 2001-04



## Science - how we can respond

- Put things on hold: how much information is good enough
- Phase in rules between 2017 and 2032
- Rely on best available information ***and include science review method in the rules***



## Economic and social impact – what we heard

- Significant costs to get consent and achieve NDA for landowners
- Significant monitoring, enforcement and implementation costs for Council
- Concern over impact on land value
- Significant economic and social impacts on wider community
- Undermines the reason community members chose to live rurally
- **Individual, community and district impacts outweigh benefits of a clean lake**



## Economic and social impact – how we can respond

- **Current Projects**
  - Catchment modelling of impacts on individual farms and industry sectors: including farm equity changes and debt servicing implications
  - Assessment of district wide impacts: tourism etc
  - Estimated impacts on land value
- **Section 32 evaluation report**
  - assesses the range of risks, costs and benefits of introducing the new policies and rules
- **Revise timeframes?**
  - Previously consider s32 at the same time as notification in March/April



## Economic and social impact – how we can respond

March/April: consider section 32 evaluation report

Workshop with Partners

Consideration: RTALSG

Consideration: RDD



April/May: notification ?



## Managing smaller properties – what we heard

- Lack of certainty about how rules would be applied to small blocks
- Permitted threshold (10kg/ha/yr) is too low
- Too costly and bureaucratic for those needing consent
- Queries about how “other” (e.g. orchards, nurseries, other animals) properties will be dealt with
- What happens if they can’t comply
- Unintended consequences e.g. spray for pasture control / return to gorse if can’t graze



## Managing smaller properties – how we can respond

- Structure rules to give time and support for small block owners to accept change will be required
- Confirm the process to determine NDAs to properties less than 40 hectares
- Recognition of mitigation
- Blanket provisions that restrict specified intensive activities / commercial enterprises
- Variation of land uses and property size thresholds



## Timing / managed reduction – what we heard

- Timeframes are unrealistic
- Significant progress already made towards reaching target
- Focus on farm planning and allow farmers to get there voluntarily
- Delay NDAs until science review is complete



## Timing / managed reduction – how we can respond

- Immediate focus on farm planning and provide a clear target for N loss and time for that to be reached voluntarily
- Delay application of NDA until after science review
- Phase in rules
- Provide individual 2022 and 2032 targets for properties requiring consent
- Reconsider activity status for consents



## Allocation - What we heard

- Views on allocation remain opposed
- Those with current high n loss tend to support grandparenting / sector ranges.
- Those with low n loss tended to support equal averaging or LUC
- Those with low n loss believe sector averaging allocation rewards the polluters
- Pre-2001 mitigation, such as retiring land, needs to be recognised



## Allocation – how we can respond

- Economic impact modelling to come
- Allocation workshop – December 11
  - Will revisit allocation principles
  - Further scenario building around different allocation mechanisms
  - Consider how previous mitigation can be included in allocation decisions



## Regulatory focus -what we heard

- Rules are not the answer – explore other solutions
- Focus on voluntary and collective action
- Establish an MoU with farmers
- Unfair for the rural landowners to pay for a clean lake

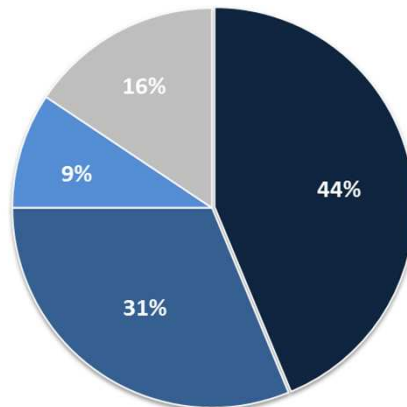




## Regulatory focus – how we can respond

### Nitrogen reductions

■ Rules ■ Incentives ■ Gorse ■ Engineering



## Next steps

- November:** finalise feedback report
- December:** RDD: Formal receipt of submission and decisions on technical issues
  - Allocation workshop
  - Catchment modelling complete
  - Land value impacts complete
- January:** District impact analysis complete
- February:** Section 32 complete
  - RDD: decision on allocation and any other technical issues
- March:** Consider Section 32
- April:** Notify?

